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FROM: Randall K. McCarthy, Registration No. 39,297**TO:** Mail Stop Appeal Brief - Patents
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Art Group 2185	571/273-8300	571/272-4100

RE: Application No. 10/602,254
In re application of: Travis D. Fox, et al.
Assignee: SEAGATE TECHNOLOGY LLC
Dkt. No.: STL11083

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PATENT
Dkt. STL11083

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Travis D. Fox, Edwin S. Olds, Mark A. Gaertner and Abbas Ali**
 Assignee: **SEAGATE TECHNOLOGY LLC**
 Application No.: **10/602,254** Group No.: **2185**
 Filed: **June 23, 2003** Examiner: **H. C. Kim**
For: TRANSFERRING SPECULATIVE DATA IN LIEU OF REQUESTED DATA IN A DATA TRANSFER OPERATION

Mail Stop Appeal Brief - Patents
 Commissioner for Patents
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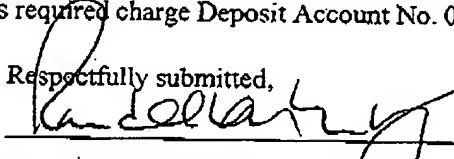
TRANSMITTAL OF RESPONSE TO NOTICE OF
NON-COMPLIANT APPEAL BRIEF

- Transmitted herewith, is the RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF filed in response to the Notification of Non-Compliant Appeal Brief mailed October 19, 2006. As indicated in the Notice, the time period for filing a response is "one month or thirty days from the mailing date of this Notification..."
- Applicant believes that no extension of term is required nor is any fee due. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time or fee.

If any additional extension and/or fee is required charge Deposit Account No. 06-0540.

Date: 11/20/06

Respectfully submitted,



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CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a)

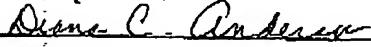
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Date: November 20, 2006

Signature



Diana C. Anderson

(Type or print name of person certifying)

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PATENT
Dkt. STL11083

In re application of: **Travis D. Fox, Edwin S. Olds, Mark A. Gaertner and
Abbas Ali**
Assignee: **Seagate Technology LLC**
Application No.: **10/602,254** Group Art Unit: **2185**
Filed: **June 23, 2003** Examiner: **H.C. KIM**
For: **TRANSFERRING SPECULATIVE DATA IN LIEU OF REQUESTED
DATA IN A DATA TRANSFER OPERATION**

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

ATTENTION: Board of Patent Appeals and Interferences

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Sir:

This is a Response to the Notice of Non-Compliant Appeal Brief mailed October 19, 2006.

The Notice of Non-Compliant Appeal Brief mailed October 19, 2006 stated that correction must be made in the appeal brief filed on October 10, 2006 for the above referenced application in SECTION V. SUMMARY OF CLAIMED SUBJECT MATTER by

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being:

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Diana C. Anderson
Signature

Date: November 20, 2006

Diana C. Anderson
(type or print name of person certifying)

#382002

matching "the independent claims to the paragraphs that contain the mapping of the independent claims to the specification by page and line number, and to the drawing, if any, by reference characters."

This Response to Notice of Non-Compliant Appeal Brief provides the item under the following heading as corrected according to MPEP 1205.03 (B):

V. SUMMARY OF CLAIMED SUBJECT MATTER

The embodiments of the present invention as recited by the language of independent claims 1, 21 and 25 are generally directed to a method and apparatus for transferring data.

Independent claim 1 generally features a method comprising steps of executing a first data transfer command (such as 322 in FIG. 7 and page 17, lines 29-33), and delaying execution of a second data transfer command (such as 324 in FIG. 7 and page 17, lines 29-33) to transfer speculative data (such as 160 in FIG. 7 and page 17, lines 29-33) in lieu thereof. See e.g., specification, page 17, lines 5-28 and FIGS. 4-7. See also page 5, line 25 to page 6, line 8; page 6, lines 12-20; page 6, lines 28-32; page 7, lines 5-7 and lines 13-17; page 9, lines 1-11. See also FIG. 3 and page 9, line 16 to page 10, line 7 (exemplary first data transfer command 154, exemplary second data transfer command 151, and exemplary speculative data 162 in FIG. 3).

Independent claim 21 generally features a method comprising steps of transferring first data in response to an execution of a first pending command (such as 322), and transferring speculative data (such as 160) instead of second data associated with a second pending command (such as 324) during a next available latency period for the second command when the speculative data are adjudged as having a utility greater than a utility of the second data (such as 216, 242, 272). See e.g., specification, page 17, lines 5-33 and

FIGS. 4-7. See also page 5, line 25 to page 6, line 8; page 6, lines 12-20; page 6, lines 28-32; page 7, lines 5-7 and lines 13-17; page 9, lines 1-11. See also FIG. 3 and page 9, line 16 to page 10, line 7 (exemplary first data transfer command 154, exemplary second data transfer command 151, and exemplary speculative data 162 in FIG. 3).

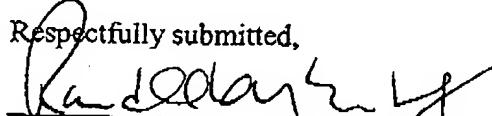
Independent claim 25 is an apparatus claim generally featuring a controller (such as 134) configured to execute a first data transfer command (such as 322), and to delay execution of a second data transfer command (such as 324) to transfer speculative data in lieu thereof (such as 160). See specification, page 17, lines 5-33 and FIG. 7; page 4, lines 15-19 and FIG. 2. See also page 5, line 25 to page 6, line 8; page 6, lines 12-20; page 6, lines 28-32; page 7, lines 5-7 and lines 13-17; page 9, lines 1-11. See also FIG. 3 and page 9, line 16 to page 10, line 7 (exemplary first data transfer command 154, exemplary second data transfer command 151, and exemplary speculative data 162 in FIG. 3).

Conclusion

The Applicant appreciates the opportunity to make this correction in the Appeal Brief and apologizes for any inconvenience to the Examiner. The Examiner is invited to contact the below signed Attorney should any questions arise concerning this response.

By:

Respectfully submitted,


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